

**REAL ESTATE BOARD  
MINUTES OF MEETING**

**June 11, 2009**

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Byrl Taylor, Vice Chair  
R. Schaefer Oglesby  
Nathaniel Brown  
Marjorie Clark  
Sharon P. Johnson  
Scott Gaeser  
Florence Daniels

The following Board members were not present: Carol Clarke  
Judy Childress

DPOR staff present for all or part of the meeting included:

Jay DeBoer, Director  
Christine Martine, Executive Director  
David Dorner, Director, Field Investigations  
Valorie Matney, Field Supervisor  
Michael New, Investigator  
Mary Broz-Vaughan, Communications Director  
Emily Trent, Administrative Assistant

Steven Jack from the Office of the Attorney General was present.

Byrl Taylor called the meeting to order at 10:00 A.M.

**Call to Order**

A motion was made by Mr. Gaeser and seconded by Ms. Clark to approve the agenda. The motion passed unanimously. Members voting "Yes" were Brown, Clark, Daniels, Gaeser, Johnson, Oglesby and Taylor.

**Agenda**

At 10:05 A.M., Ms. Clark offered a motion which was seconded by Mr. Gaeser, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members

**Closed Session**

pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Steven Jack, David Dorner, Valerie Matney, Michael New, Christine Martine, Emily Trent and Mary Broz-Vaughan.

This motion is made with respect to the matter(s) identified as agenda item(s):

**File Number 2009-04013 – Patricia Amos**

At 10:18 A.M., a motion was made by Mr. Gaeser and seconded by Mr. Oglesby that the Board reconvene in open session.

WHEREAS, the Real Estate Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**Certification**

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Real Estate Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Real Estate Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Real Estate Board.

VOTE: 7-0

AYES: Brown, Clark, Taylor, Gaeser, Johnson, Daniels and Oglesby.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: None.

In the matter of FHB File Number 2009-04013, Patricia Amos, a motion was made by Mr. Oglesby and seconded by Mr. Gaeser to direct legal counsel to file a petition to request that the court

temporarily enjoin further activity by the licensee, H K Berdensey Real Estate LLC; and to take such other and further action as shall be necessary to conserve, protect and disburse funds within the firm's accounts; and further, that the court appoint a receiver pursuant to § 54.1-2108 of the *Code of Virginia* to effectuate such ends. The motion passed unanimously. Members voting "Yes" were Brown, Clark, Daniels, Gaeser, Johnson, Oglesby and Taylor.

There was no public comment.

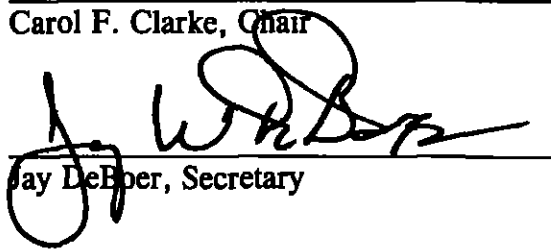
Public Comment

There being no further business, the Board adjourned at 10:25 A.M.

Adjourn



Carol F. Clarke, Chair



Jay DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Schaefer Oglesby  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

  
Signature

June 11, 2009  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Florence Daniels  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

  
Signature

6/11/09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Sharon P. Johnson  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.

Sharon Johnson  
Signature

\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Scott Gaeser  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Byrl Taylor  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Byrl Taylor  
Signature

6/11/09  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Nathaniel Brown  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

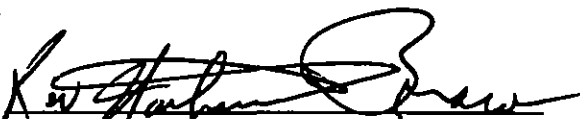
\_\_\_\_\_  
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

  
Signature

6/11/2009  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Marjorie Clark  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: June 11, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Marjorie M. Clark  
Signature

6-11-09  
Date